



Miley Legal News

November 2020 www.MileyLegal.com

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What's My Accident Claim Worth?

One of the most common questions we get from potential clients whether on the phone, in person, or over the internet, is "How much is my claim worth?" To answer that questions, read the letter below, that one of our attorneys wrote to a recent client when they asked the same exact question.

If you would like us to evaluate a potential injury claim, reach out to us at (866)654-9352

Dear John,
Thank you for reaching out to our office, unfortunately, I do not have the information necessary to properly evaluate your injury claim and provide you with an opinion as to its value. What I can tell you is what you are entitled to in the process. If you would like my office to represent you in this matter, we would be glad to discuss this further with you.

As far as your injury claim, those are based on numerous factors. The primary factor is the amount of medical bills and how long you treat for your injuries. Keep in mind that it might take you a while to heal, if you do not follow with treatment to your doctor, there will be an assumption that you must not be that injured.

Following up with your doctor, if necessary, serves two purposes. It allows you to get the proper diagnosis and treatment of your injuries. It also documents your complaints. If you do follow up, but do not follow the recommendations, the assumption will be that you were not that hurt.

At the end of the day, you will be entitled to reimbursement of your medical bills. If you have health insurance that paid these bills your insurance may have a right to be reimbursed. You will be entitled to any amounts for lost income your injuries caused. If it is more than a couple of days off work, it will need to be documented by a physician indicating you are being taken off work. It may also require documentation of what

your earnings were at the time of the crash for a lost wage claim. Finally, you will be entitled to an amount for pain and suffering. This amount varies widely depending on the type of injuries, the length of treatment, and the impact on your life that can be documented and proven.

I am sorry I cannot be more specific. Even if I were representing you I would not be able to tell the "value" of your case. I always tell new clients that I will not know what is fair for them until they are better, as good as they are going to get, and/or finished treatment.

At that point, and once all medical records are reviewed (along with other evidence), I would be in a position to tell them what is fair. A case where a doctor refers you for therapy, additional testing, consultations with a specialist, and your treatment lasts for a month or two, is very different than a case where you visit the ER one time and only have a few follow up visits with your primary care physician.

I hope some of this has been helpful. If we can be of further assistance to you, please let us know. Good Luck.

Sincerely,
Doug Miley



The Miley Legal Group would like to thank everyone that provided referrals to our office this past month:

Tim W.
Cara H.
Randall L.
Marcia B.
Pam P.
Joe S.

Your Life: Motorcycle Riding in Cold Weather

Riding does not have to stop when the leaves start changing. In fact, Fall is an awesome time to take those slow rides along the windy roads of West Virginia. However, if you made plans to do so, it is important that you take care to stay warm. Riding at high speeds during moderately cool weather can seem like riding your bike through the grocery freezer section. It is difficult to control a bike when your teeth are chattering, or you have cold pains in your hands.

The graphic to the right should give you an idea of what the temperature will feel like at certain speed levels. Being prepared for the weather will not only keep you warm but will

more enjoyable, safe and less distracted.

Some of the ways you can stay warm on a bike include, the more obvious, gloves and heavier clothing. But did you know that staying dry will also help you keep warmer longer?

Being aware of the temperature and what the weather forecast is one of the most important aspects of riding during the cooler months.

Staying warm equals staying safe, however it does not prevent others from being aware of their surroundings and their fellow riders. In fact, the cooler weather may be a more dangerous time for motorcycle riders, as other drivers may assume since it is cold that you will not be out on your bike.

MOTORCYCLE WINDCHILL CHART

Speed in MPH	Temperature									
	45°	40°	35°	30°	25°	20°	15°	10°	5°	0°
25	36	29	29	16	9	3	-4	-11	-17	-24
30	35	28	22	15	8	1	-5	-12	-19	-26
35	35	28	21	14	7	0	-7	-14	-21	-27
40	34	27	20	13	6	-1	-8	-15	-22	-29
45	33	26	19	12	5	-2	-9	-16	-23	-30
50	33	26	19	12	4	-3	-10	-17	-24	-31
55	32	25	18	11	4	-3	-11	-18	-25	-32
60	32	25	17	11	3	-4	-12	-19	-26	-33
65	31	24	16	10	2	-5	-12	-19	-27	-34
70	31	24	16	10	2	-6	-13	-20	-27	-35
75	30	23	15	9	1	-7	-13	-21	-28	-36
80	30	23	15	8	1	-7	-14	-21	-29	-36

■ Winter Gloves ■ Heated Clothes ■ Frostbite

With two offices to serve you:

229 W. Main Street, Suite 400, Clarksburg, WV 26301
250 Scott Avenue, Suite 100, Morgantown, WV 26508



2020 HARRISON COUNTY ANNUAL TOY RUN



SUNDAY, NOVEMBER 29, 2020



DROP OFF LOCATIONS FOR TOYS WILL BE LOCATED AT THE MILEY LEGAL GROUP, RG MOTORSPORTS, AND RG ALMOST HEAVEN HARLEY DAVIDSON

IN MEMORY OF GEORGE "PORKER" MORRISON AND BRYAN HUDKINS

Recent Reviews

★★★★★ "The Miley Legal Group is a great bunch of guys and gals who worked hard to settle my case. Much respect. Thank you all."
- Wilma A. (Rock Cave)

★★★★★ "Miley Legal fought diligently and faithfully for my case! I am convinced if I had hired anyone else, the outcome for the final resolution would not have been as great! They truly are the tigers for your case. Hire them and you won't regret it at all." - Rachel B., (Lost Creek)

★★★★★ "Never met a more friendly group of people to work with and as the case went forward, I was confident that there was going to be a just settlement." - Carole N. (Clarksburg)

Pet Peeves: Halloween Pet Photo Contest!

Hello everyone! The holidays are coming and we wanted to share a few thoughts we have had on the emotional toll that we see the pandemic and the elections have had on our humans! We see the stress and the turmoil and we want everyone to know that pets can feel your emotions and can help get you through these trying times. Use us for comfort and as a way to release your stress....and a side benefit for us is that we get your undivided attention and some good cuddles!



Take a breather, walk your furry friend, go for a jog.... there are a number of ways to get through these stressful times that the holidays will only add to, especially if you miss your family and friends. Know that we pets appreciate you and will help in any way we can.

Love Mia, Dexter & Clarabelle



Recipe of the Month: **After Thanksgiving Casserole**

Ingredients:

- 1 (6 oz.) package stuffing mix for turkey
- 4 cups chopped leftover turkey
- 2 cups frozen mixed vegetables (thawed)
- 3/4 cup mayonnaise
- 3 cups leftover mashed potatoes
- 1 cup shredded cheddar cheese
- 1/2 tsp paprika



Directions:

1. Heat oven to 375 degrees F. Prepare stuffing as directed on package, spread onto bottom of 13 by 9 inch baking dish sprayed with cooking spray.
2. Combine turkey, mixed vegetables and mayo; spoon over stuffing.
3. Mix potatoes and cheese, spread over turkey mixture. Sprinkle with paprika.
4. Bake 30 to 40 minutes or until heated through. Enjoy your leftovers!

Recipe & Picture Courtesy of Allrecipes.com. Submit recipes to mlg@mileylegal.com

Words of Encouragement

“Heal me, Lord, and I will be healed; save me and I will be saved, for you are the one I praise”

- Jeremiah 17:14

“Come to me, all you who are weary and burdened, and I will give you rest.”

- Matthew 11:28

“When pride comes, then comes disgrace, but with the humble is wisdom.”

- Proverbs 11:2

“Elections belong to the people.”

- Abraham Lincoln

November's Cases of Interest

Attempt to “Beat the Light” Leads to Injuries

Our client was traveling near Mountaineer Mart, heading to Nutter Fort when she was approaching a green light. In an attempt to beat our client and the light, a driver “gunned” his vehicle and turned directly into the path of our client’s car.

Unfortunately for our client, the other driver did not make his turn and a collision occurred. Fortunately, as the accident occurred, a local officer was traveling in the area and saw the wreck.



Our client was treated at the emergency room after the accident and is currently being treated for various pains and strains.

Left hand turns cause some of the most horrific accidents on our roadways. When driver’s make that left turn in the middle of an intersection, they have to

make the turn in time and judge the speed of oncoming traffic. A left hand turn also technically crosses two lanes of active traffic, those that are at the left approaching the intersection and those that are coming straight into the intersection.

In fact, according to the US National Highway Traffic Safety Administration, approximately 61 percent of crashed that take place while turning or crossing within an intersection involve a left-hand turn. (Source: www.nhsta.gov)

Distracted Driver Strikes Tractor Trailer

Our client was driving a company owned 18-wheeler, making a delivery run and traveling on Rt 250 when he was struck by a driver who crossed the center line.



The other driver was cited for failure to maintain control of her car, however, the ticket did not help our client as he was treated in the ER.

The impact of the accident caused our client to strike his face on the steering wheel of the big rig which caused two black eyes, a concussion and whiplash. He is still being treated for the resulting head injury and will continue to do so for the foreseeable future.

Motorcycle Passenger Injured in Accident

Our client was a passenger on the back of a motorcycle with a friend when a truck unexpectedly turned in front of them causing them to crash. Fortunately, the driver of the bike was not injured, but that was not the case for our client.

After he was thrown from the back of the bike, he slammed into the ground. His attempt to catch himself caused multiple fractures in both of his hands.

After his treatment in the emergency room, our client has been placed in a cast and will eventually require months of physical therapy to help gain strength back in both his hands.





Check out our blog at
MileyLegalBlog.com

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Claim Worth? Page 1**

Give this newsletter to a friend. They will thank you for it and so will I.

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

Miley Team Fun

The Elementary
Support Team
in Action
(Lila & Maddy)



MLG Team Member Sara and the "Line Drivers,"
co-ed Softball Season Champions!



The Winner of
our Pet Halloween
Costume Contest:

Wonderdog!